

Introduced by Senator Padilla

(Coauthors: Assembly Members Evans and Saldana)

February 22, 2008

An act to amend Sections 13778 and 13779 of, and to add Section 13519.15 to, the Penal Code, relating to anti-reproductive-rights crime.

LEGISLATIVE COUNSEL'S DIGEST

SB 1770, as introduced, Padilla. Anti-reproductive-rights crime.

Existing law requires the Attorney General to assume specified duties relating to planning, information gathering, and analysis with respect to anti-reproductive-rights crimes, as defined, including consultation with specified subject matter experts. Existing law requires the Commission on Peace Officer Standards and Training to develop an optional course of training for law enforcement agencies regarding anti-reproductive-rights crimes, as specified. Existing law provides for the repeal of these provisions as of January 1, 2009.

This bill would extend the date of repeal to January 1, 2014. This bill would require the commission to prepare guidelines establishing standard procedures that may be followed by law enforcement agencies in the investigation and reporting of cases involving anti-reproductive-rights crimes. This bill would require the commission to include training on anti-reproductive-rights crimes within the course of training leading to a basic certificate as well as any curriculum required for continuing training, as specified.

Because the bill would impose additional duties on local law enforcement agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13519.15 is added to the Penal Code, to
2 read:

3 13519.15. The commission shall prepare guidelines establishing
4 standard procedures which may be followed by law enforcement
5 agencies in the investigation and reporting of cases involving
6 anti-reproductive-rights crimes. In developing the guidelines, the
7 commission shall consider recommendations 1 to 12, inclusive,
8 14, and 15 of the report prepared by the Department of Justice and
9 submitted to the Legislature pursuant to the Reproductive Rights
10 Law Enforcement Act (Title 5.7 (commencing with Section
11 13775)).

12 SEC. 2. Section 13778 of the Penal Code is amended to read:

13 13778. (a) The Commission on Peace Officer Standards and
14 Training, utilizing available resources, shall develop a two-hour
15 telecourse on anti-reproductive-rights crimes and make the
16 telecourse available to all California law enforcement agencies as
17 soon as practicable after chaptering of the act that enacts this title
18 in the 2001–2002 session of the Legislature.

19 (b) Persons and organizations, including, but not limited to,
20 subject-matter experts, may make application to the commission,
21 as outlined in Article 3 (commencing with Section 1051) of
22 Division 2 of Title 11 of the California Code of Regulations, for
23 certification of a course designed to train law enforcement officers
24 to carry out the legislative intent expressed in paragraph (1) of
25 subdivision (d) of Section 1 of the act that enacts this title in the
26 2001–02 Regular Session.

27 (c) In developing the telecourse required by subdivision (a),
28 and in considering any applications pursuant to subdivision (b),

1 the commission, utilizing available resources, shall consult the
2 Attorney General and other subject matter experts, except where
3 a subject matter expert has submitted, or has an interest in, an
4 application pursuant to subdivision (b).

5 *(d) The course of training leading to the basic certificate issued*
6 *by the commission as well as any curriculum prepared by the*
7 *commission related to requirements for continuing professional*
8 *training shall include adequate instruction on the reporting and*
9 *investigation requirements related to this title.*

10 SEC. 3. Section 13779 of the Penal Code is amended to read:
11 13779. This title shall remain in effect until January 1, 2009
12 2014, and as of that date is repealed unless a later enacted statute
13 deletes or extends that date.

14 SEC. 4. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.